

FILED WITH THE BOARD OF
RESPIRATORY CARE

DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

ON May 18, 1994

By: Sandra Y. Dick
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE
DOCKET NO.

IN THE MATTER OF:

MATTHEW FISHER, RRT

LICENSED TO PRACTICE RESPIRATORY
CARE IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Respiratory Care upon the review of an application of Ms. Cynthia Johnson for license to practice respiratory care in the State of New Jersey. Matthew Fisher, head of the Respiratory Care Department at Newcomb Medical Center, and Ms. Johnson's supervisor, signed an employer's statement and verification of supervision forms in support of her application. These forms indicate that Mr. Fisher supervised Ms. Johnson's performance of respiratory care duties following expiration of her temporary license in February of 1993, until October of 1993. In testimony before us on March 1, 1994, Mr. Fisher claimed that he requested Mr. Johnson to apply for a renewal of her temporary license.

However, Mr. Fisher acknowledged that he was aware Ms. Johnson's license had expired and knew she was engaged in the unlicensed practice of respiratory care after February 21, 1993. The Board has determined that Mr. Fisher's activities in a supervisory capacity and as the Director of Respiratory Care, constitute the aiding and abetting of the unlicensed practice of respiratory care in violation of N.J.A.C. 13:44F-9.2, thus providing grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(h).

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity of further formal proceedings, Mr. Fisher having waived any right to a hearing in this matter, and the Board finding that the within Order is adequately protective of the public health and that good cause exists for its entry:

IT IS ON THIS 18th DAY OF May, 1994,

ORDERED:

1. Matthew Fisher, RRT is hereby **REPRIMANDED** for aiding and abetting the unlicensed practice of respiratory care,

2. Matthew Fisher, RRT shall **CEASE AND DESIST** from aiding and abetting the unlicensed practice of respiratory care, and

3. Matthew Fisher is hereby assessed civil penalties in the amount of \$1,000 and costs in the amount of \$54.00 which he shall pay within 30 days of his tendering of a signed copy of this Order, by certified check or money order made payable to the State of New Jersey. Costs and penalties may be paid in installments (including interest at 6% per annum beginning on the

date of entry of this Order), if financial hardship is demonstrated to the satisfaction of the Board within the time period specified above for payment of costs and penalties.

4. Respondent shall cooperate as deemed reasonably necessary by the Division of Law, in any proceeding brought by the Division of Law against Ms. Cynthia Johnson in connection with her practice of respiratory care at Newcomb Medical Center.


NEW JERSEY STATE BOARD OF RESPIRATORY CARE

By: 
Daniel Pino, RRT

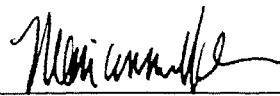
I have read the above Order
and I understand and agree to
abide by its terms. Consent is
hereby given to the Board of
Respiratory Care to enter this Order.


Matthew Fisher, RRT

The above Order is approved
as to Form and Entry:


Charles Epstein, Esq.
Attorney for Matthew Fisher

I CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY.


Marianne C. Kehoe
Executive Director